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ADOPTION OF THE FINAL DOCUMENTS AND REPORT OF THE CONFERENCE

Note by the Secretary-General

1. At its fourth session, the Preparatory Committee for the World Conference on Human Rights decided to establish a Drafting Group of the Committee of the Whole to address the question of the final document of the World Conference. The present document reproduces, in annex I, those preambular paragraphs proposed in the Drafting Group but which the Drafting Group was unable to consider.

2. In addition, the Preparatory Committee recommended that three paragraphs submitted by the African Group as the new seventh, eighth and ninth preambular paragraphs of the draft final document should be considered at a later stage. These are contained in annex II.

GE.93-13926 (E)

Annex I

PREAMBULAR PARAGRAPHS PROPOSED FOR INCLUSION IN THE FINAL DOCUMENT OF THE WORLD CONFERENCE ON HUMAN RIGHTS

SECOND PREAMBULAR PARAGRAPH

Affirming that the human being is the central subject of human rights and should be an active participant and the principal beneficiary of these rights,

A. Compromise formula of Singapore

"Recognizing and affirming that all human rights derive from the dignity and worth inherent in the human person, (individually) and (collectively) and that the human person is the central subject of human rights and fundamental freedoms, and consequently should be the principal beneficiary and should participate actively in the realization of these rights and freedoms,"

B. Proposal by United Kingdom to the Singapore formulation

(Based on the International Covenant on Civil and Political Rights)

Delete the words "individually and collectively"; the paragraph would conclude as follows: "of these rights and freedoms which may be exercised individually and in community with others".

C. Proposal by Romania

(Based on documents A/CONF.157/AFRM/6 and A/CONF.157/PC/57)

Replace "individually and collectively" by the following: "both as an individual and as a member of the society in which he/she lives".

NEW SIXTH PREAMBULAR PARAGRAPH

Proposal by Chile and Cuba

(Seventh preambular paragraph of the San José Declaration (A/CONF.157/LACRM/15-A/CONF.157/PC/58))

"Stressing the importance of strengthening broad, non-selective and non-discriminatory international cooperation, designed to strengthen the capacity of States to respect and promote human rights, based on dialogue, solidarity and joint action to promote the full enjoyment of all human rights and to avoid the use of pressures alien to the essential nature of such rights,"

NEW SIXTH PREAMBULAR PARAGRAPH

Proposal by Cuba

(Based on the San José Declaration)

"Stressing the importance of strengthening broad, non-selective and non-discriminatory international cooperation, designed to strengthen the capacity of States to respect and promote human rights, based on dialogue, solidarity and joint action to promote the full enjoyment of all human rights and to avoid the use of pressures alien to the essential nature of such rights,"

NEW PARAGRAPH TO FOLLOW THE SIXTH PREAMBULAR PARAGRAPH

Proposed by the United States

"Expressing deep concern that serious violations, including consistent patterns of gross and persistent violations, of internationally recognized human rights and fundamental freedoms still occur in all regions of the world, and that accordingly renewed efforts must be undertaken for the full realization in all States of international commitments relating to human rights and fundamental freedoms;"

A. Amendment proposed by Cuba

Delete the word "accordingly".

Insert after "renewed efforts" the words "through international cooperation".

Add after "undertaken" the words "in accordance with the Charter of the United Nations".

SECOND NEW PREAMBULAR PARAGRAPH TO FOLLOW THE SIXTH PREAMBULAR PARAGRAPH

Proposal by Mexico

(Based on second preambular paragraph of the San José Declaration)

"Reaffirming that the international community represent a broad grouping of nations within a rich cultural heritage based on a combination of various peoples, religions and races, which strive for collective solutions to present challenges through friendly dialogue, peaceful coexistence and respect for pluralism and the principles of national sovereignty, non-interference in the internal affairs of States and self-determination of peoples;"

A. Amendment proposed by Indonesia

Add after "sovereignty" the words: "territorial integrity".

SEVENTH PREAMBULAR PARAGRAPH

Recognizing that the present world situation is full of challenges and opportunities for building an international order of true democracy, freedom and justice and that, in this era of change, new approaches should be sought to strengthen the United Nations machinery in the field of human rights in order to further the objective of universal respect for and observance of international human rights standards,

A. Proposal by Kenya on behalf of the African Group

(a) "Considering the major changes taking place on the international scene and the aspirations of all the peoples for a new world order on solidarity, peace, justice and democracy,"

(b) "Recognizing that solidarity, peace, justice and democracy are prerequisites for the respect of human rights and the universal application of the relevant international standards, and the activities of the United Nations in the field of human rights should be re-evaluated and rationalized in order to strengthen the United Nations machinery in this field and to further the objectives of universal respect for observance of international human rights standards,"

(c) "Recognizing also that the international community should devise ways and means to overcome the current obstacles and challenges to the full realization of human rights including the threat to peace and security, foreign aggression, racism, racial discrimination and xenophobia, ethnic cleansing, religious intolerance and extremism, terrorism and human rights violations thereof, denial of justice, torture, unfair and unjust international economic order, widespread poverty and illiteracy, worsening economic situation of developing countries and heavy burden of external debts,"

B. Amendments to the Kenya proposal proposed by Pakistan

1. In subparagraph (a), add after "democracy" the words "and better standards of living"

2. In subparagraph (b), add after "democracy" the words "and better standards of living"

3. In subparagraph (c), add after "foreign aggression" the words "foreign occupation and alien domination" and add after "terrorism" the words "in all its forms and manifestations"

C. Amendment to the Kenyan proposal proposed by India

In subparagraph (a), add after "justice" the words "rule of law".

D. Amendment to the Kenyan proposal proposed by the Syrian Arab Republic

1. In subparagraph (a), add after "new world order" the words "based on the right of people to self-determination".

2. In subparagraph (c), add after "foreign aggression" the words "foreign occupation and alien domination".

E. Amendment to the Kenyan proposal proposed by the United States

(Based on the San José Declaration)

In subparagraph (c), add the words "lack of democracy and freedom, corruption, impunity, various forms of intolerance, widespread violence, the failure to implement international human rights treaties, and the lack of genuinely independent systems of justice,"

F. Amendment to the Kenyan proposal proposed by Cuba

1. In subparagraph (a):

Add "democratic" after "new" ("a new democratic world");

Add "development, pluralism and equality" after "peace".

2. In subparagraph (c), add "international coercive measures" after "unjust international economic order,"

(If these amendments are accepted, the amendment at L. below is withdrawn.)

G. Amendment to the Kenyan proposal proposed by Indonesia

In subparagraph (a), add "economic and social" before "justice".

H. Amendment to the Kenyan proposal proposed by the Islamic Republic of Iran

In subparagraph (c), delete "extremism".

I. Amendment to the Kenyan proposal proposed by France

In subparagraph (b), replace "prerequisite", by "of paramount importance";

Replace "re-evaluated and rationalized" by "improved".

J. Amendment to the Kenyan proposal proposed by Colombia

In subparagraph (b), replace "re-evaluated" by "evaluated".

K. Amendment to the Kenyan proposal proposed by Singapore

In subparagraph (c), insert after "including" the words "inter alia".

L. Amendment to the Kenyan proposal proposed by Cuba

Modify as follows:

"Recognizing that the present world situation is full of challenges and opportunities for building an international order of true democracy, development, pluralism, equality, freedom and justice and that, in this era of change, effectiveness of United Nations standards, methods, mechanisms and instruments in the sphere of human rights should be sought in order to further the objective of universal respect for and observance of international human standards,"

M. Amendment to the Kenyan proposal proposed by Croatia

Add after "international order of" the words "peace and"

EIGHTH PREAMBULAR PARAGRAPH

Seeking to enhance respect for human rights by way of cooperation in the spirit of the United Nations Charter,

A. Amendment by Singapore and Cuba

"Seeking to enhance respect for human rights through international cooperation and consensus, and not through confrontation and imposition of incompatible values,"

B. Amendment by Cuba

Modify as follows:

"Reaffirming the need to enhance respect for all human rights by way of cooperation in the spirit of the United Nations Charter, and based on the strict observance of international law;"

C. Amendment by Sweden

Modify as follows:

"Seeking to enhance respect for human rights at the national level as well as through international cooperation,"

D. Amendment by Indonesia

Replace as follows:

(Reference to fifth and tenth preambular paragraphs of the Bangkok Declaration, A/CONF.157/ASRM/8-A/CONF.157/PC/59).

"Recalling that in the Charter of the United Nations the question of universal observance and promotion of human rights and fundamental freedoms

has been rightly placed within the context of international cooperation, and consequently it (that) should be encouraged by cooperation and consensus, and not through confrontation and the imposition of incompatible values.

NEW PARAGRAPHS TO FOLLOW THE EIGHTH PREAMBULAR PARAGRAPH

Proposal by Chile (based on the eighth preambular paragraph of the San José Declaration, amended):

"Bearing in mind that the guiding principles of the implementation of international human rights instruments should be universality of enjoyment, interdependence, objectivity, impartiality, non-selectivity and the responsibility of States to fulfil their obligations,"

"Considering that the full observance of human rights and fundamental freedoms in every country of the world is a matter of legitimate international concern and an expression of solidarity among peoples,"

TENTH PREAMBULAR PARAGRAPH

Drawing on central themes of the World Conference: human rights, democracy and development,

A. Proposal by United Kingdom

"Drawing on the main objectives of the World Conference, as set out in paragraph 1 of General Assembly resolution 45/155,"

B. Proposal by Pakistan

Replace as follows:

(Paragraph 10 of the annex to General Assembly resolution 47/122)

"Consideration of the relationship between development, democracy and the universal enjoyment of all human rights, keeping in view the interrelationship and indivisibility of economic, social, cultural, civil and political rights"

C. Proposal by Canada

"Drawing on central themes of the World Conference: human rights, democracy, development, peace and security,"

D. Proposal by Brazil

"Taking into consideration the relationship between development, democracy and the universal enjoyment of all human rights,"

NEW PREAMBULAR PARAGRAPH PROPOSED BY DENMARK AND FRANCE

"Expressing grave concern about continuing human rights violations, such as torture, forced disappearances, summary executions, denial of freedom of opinion and expression, forced displacement, despite international standards,"

NEW PREAMBULAR PARAGRAPH PROPOSED BY CHINA

"Recalling that the Declaration on the Right to Development has recognized the right to development as a universal and inalienable right and an integral part of fundamental human rights, by virtue of which every human person is entitled to participate in, contribute to and enjoy the economic social, cultural and political development of the society in which he lives,"

NEW PREAMBULAR PARAGRAPH PROPOSED BY HONDURAS

(Based on paragraph 14 of the San José Declaration)

"Reaffirming that Governments must emphasize the implementation of actions to recognize the rights of women, to promote their participation in national life with equality of opportunity, to eradicate all forms of hidden or overt discrimination on grounds of sex, race or social status and, especially, to eliminate gender-based violence, as well as all forms of sexual exploitation,"

NEW PREAMBULAR PARAGRAPH PROPOSED BY INDIA

"Distressed by widespread violence in different parts of the world and the grave consequences of violence on the observance of human rights,"

NEW PREAMBULAR PARAGRAPH PROPOSED BY INDIA

"Concerned with the magnitude and urgency of environmental problems and recognizing the human rights to a safe and healthy environment,"

NEW PREAMBULAR PARAGRAPH PROPOSED BY CHILE

(Based on operative paragraphs 2 and 5 of the Proclamation of Teheran)

"Recalling the Teheran Declaration adopted at the International Conference on Human Rights on 13 May 1968, in which it was solemnly proclaimed that: 'the Universal Declaration of Human Rights states a common understanding of the peoples of the world concerning the inalienable and inviolable rights of all members of the human family and constitutes an obligation for the members of the international community'; and that 'the primary aim of the United Nations in the sphere of human rights is the achievement by each individual of the maximum freedom and dignity';"

NEW PREAMBULAR PARAGRAPHS PROPOSED BY SYRIA

(Sixth and eighth preambular paragraphs of the Bangkok Declaration)

"Noting the progress made in the codification of human rights instruments, and in the establishment of international human rights mechanisms, while expressing concern that these mechanisms relate mainly to one category of rights,"

"Reaffirming the principles of respect for national sovereignty, territorial integrity and non-interference in the international affairs of States,"

NEW LAST PREAMBULAR PARAGRAPH PROPOSED BY BRAZIL

"Taking into consideration the interrelationship between development, democracy and the universal enjoyment of all human rights,"

ELEVENTH PREAMBULAR PARAGRAPH

The World Conference on Human Rights solemnly adopts the following Principles and Programme of Human Rights Action:

A. Proposal by Kenya on behalf of the African Group

"The World Conference on Human Rights solemnly adopts the following Declaration"

Annex II

PROPOSED NEW SEVENTH, EIGHTH AND NINTH PREAMBULAR PARAGRAPHS
SUBMITTED BY THE AFRICAN GROUP

Considering the major changes taking place on the international scene and the aspirations of all the peoples for an international order [based on the right of people to self-determination] on peace, democracy, justice, equality, rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the activities of the United Nations in the field of human rights should be [re-evaluated and rationalized] in order to strengthen the United Nations machinery in this field and to further the objectives of universal respect for observance of international human rights standards,

Recognizing also that the international community should devise ways and means to overcome the current obstacles and challenges to the full realization of all human rights and the continuation of human rights violations resulting thereof [including the threat to peace and security, foreign aggression, racism, racial discrimination and xenophobia, ethnic cleansing, religious intolerance and extremism, terrorism in all its forms and manifestations, foreign occupation and alien or colonial domination, denial of justice, widespread poverty and illiteracy, worsening economic situation of developing countries and heavy burden of external debts, unfair and unjust international economic order, acts of torture, forced disappearances, summary executions, forced displacement of persons, denial of the right to freedom of opinion and expression],

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